

Serial No.: 09/473,246
Group Art Unit: 1756

REMARKS

Claims 1-4 and 7-25 are in the case.

Applicants gratefully acknowledge the Examiner's determination that Claims 22-25 are allowable.

Claims 27 and 28 have been canceled without prejudice.

Claims 1-4 and 7-21 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-20 of co-pending Application No. 10/430593 (US 20040003638). A properly filed terminal disclaimer would overcome the rejection.

Co-pending Application No. 10/430593 (US 20040003638) is an application and not an issued patent. The Examiner is requested to indicate whether any of the Claims in co-pending Application No. 10/430593 (US 20040003638) are in a condition for allowance. Without an indication of allowability of claims in co-pending Application No. 10/430593 (US 20040003638), a double patenting rejection and a terminal disclaimer is premature and possibly moot.


For the foregoing reasons, the rejection of Claims 1-4 and 7-21 under the judicially created doctrine of obviousness-type double patenting over Claims 1-20 of co-pending Application No. 10/430593 (US 20040003638) is requested to be withdrawn until

Serial No.: 09/473,246
Group Art Unit: 1756

there is an indication of allowability of claims in co-pending
Application No. 10/430593 (US 20040003638).

Reconsideration of this application is requested.

Respectfully submitted,


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